

REMARKS

The present Amendment is hereby submitted so as to be responsive to the above referenced office action, and the above revisions to claims are submitted so as to clarify the present invention. Support for this modification may be found throughout the entire specification, but may also be seen, for example, on page 6, lines 1-15, page 10, lines 11-12 and page 11, lines 2-3. No fees are believed due by entry of this response.

Rejections Under 35 U.S.C. 102

The Examiner has maintained his previously asserted rejections of claim 23 under 35 U.S.C. 102(b) as allegedly being anticipated by Pedginski (U.S. Patent No. 5,807,632).

In response thereto, the Applicant asserts that the presently claimed invention cannot be anticipated because the present invention as currently claimed, is neither taught or suggested by Pedginski, which does not detail the usage of a solid fluoropolymer film, much less the usage of a solid fluoropolymer layer in the overall structure detailed in the invention as claimed. Because the Pedginski patent is formed with different materials, according to a different process, and for an entirely different purpose, it is respectfully requested that this rejection be withdrawn.

Rejections Under 35 U.S.C. 103

The Examiner has also maintained his previous rejection of claims 17-23 under 35 U.S.C. 103(a) as allegedly being unpatentable over Petrou (U.S. Patent No. 5,628,858) in view of Tindall (U.S. Patent No. 4,886,680).

In response thereto, it is respectfully submitted that neither the Petrou nor Tindall references support any motivation to combine the two references together. Speaking generally, it is settled law that "elements of separate prior patents cannot be combined when there is no suggestion of such combination anywhere in those patents...; and a court should avoid hindsight..." (*emphasis added*). *Panduit Corp. v. Dennison Mfg. Co.*, 1 USPQ.2d 1593, 1597 (Fed. Cir. 1987), citing *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 220 USPQ 929, 933 (Fed. Cir. 1984), and *W.L. Gore & Associates v. Garlock, Inc.*, 220 USPQ 303, 313 (Fed. Cir. 1983). See also *Uniroyal Inc. v. Rudkin-Wiley Corp.*, 5 USPQ.2d 1434, 1438-1441 (Fed. Cir. 1988).

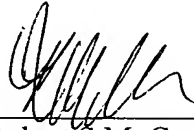
In the present case, the Office Action does not follow the requirement that there be an explanation as to why the Petrou patent should be combined by one skilled in the art by the Tindall reference. Clearly, the present rejection involves an unreasoned "combination" of references, and as such, it is respectfully requested that this ground of rejection be withdrawn.

Nevertheless, *even if* it were somehow proper to combine Petrou and Tindall, applicant reiterates the previously submitted arguments that in following the approach taught by Tindall, one would not apply an adhesive to one side of the PTFE which would be the top layer, while the adhesive on the other side would eventually be wound up on a roll to form a linerless roll. In Tindall, as well as in Petrou, there simply is no mention of the concept of placing a label on the surface of the PTFE, unlike the presently claimed invention. Accordingly, there clearly is no teaching in either Petrou or Tindall that would lead a skilled artisan to combine these two teachings, and if combined, both clearly lead away from the claimed invention. As such, it is

respectfully requested that these grounds of rejection be withdrawn.

All outstanding rejections having been responded to, entry of the above and favorable consideration of the same are all courteously solicited.

Respectfully submitted,



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